



PATENT  
Customer No. 22,852  
Attorney Docket No. 09453.0002-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Kurtis C. KELLEY et al. ) Group Art Unit: 1745  
)  
Application No.: 10/798,875 ) Examiner: Dah Wei D. Yuan  
)  
Filed: March 12, 2004 ) Confirmation No.: 2511  
)  
For: BATTERY INCLUDING CARBON )  
FOAM CURRENT COLLECTORS )

**Mail Stop AF  
OR**

**Mail Stop Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after a final action and is accompanied by a fee of \$180.00 as specified under § 1.17(p) and a certification as specified under § 1.97(e). Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Each document listed in this Information Disclosure Statement was first cited in a communication from the European Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within thirty days of the mailing

date of that communication. In accordance with 37 C.F.R. § 1.704(d), no negative

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patent term adjustment consequences will apply to this Information Disclosure Statement.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not provided.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

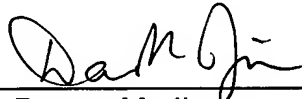
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 26, 2005

By:   
\_\_\_\_\_  
Darren M. Jiron  
Reg. No. 45,777

Complete if Known

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

1

Application Number

10/798,875

Filing Date

March 12, 2004

First Named Inventor

Kurtis C. KELLEY

Art Unit

1745

Examiner Name

Dah Wei D. Yuan

Attorney Docket Number

09453.0002-01

## **U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-2004/0121238	6/24/2004	Kurtis C. KELLEY et al.	
		US-			
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**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		WO 2004/004027	1/8/2004	Caterpillar Inc.		
		EP 0 610 071 A	8/10/1994	Eveready Battery Company		
		WO 2004/062005	7/22/2004	Firefly Energy Inc.		

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		International Search Report and Written Opinion of the International Searching Authority for PCT/US2004/042286, dated July 29, 2005.	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.